

## EXHIBIT A



21st Floor  
1251 Avenue of the Americas  
New York, NY 10020-1104

Robert D. Balin  
Tel (212) 489-8230

robbalin@dwt.com

March 10, 2025

Via Electronic Mail

Tobias Zimmerman, Senior Counsel  
New York City Law Department  
100 Church Street  
New York, NY 10017

Re: *In re: New York City Policing During Summer 2020 Demonstrations*,  
1:20-cv-8924 (CM) (GWG), Press Training Recommendations

Dear Mr. Zimmerman:

I write on behalf of all Plaintiffs pursuant to Paragraph 101(b) of the Settlement Agreement, to provide feedback on the following trainings and related documents concerning NYPD's interactions with members of the press:

- PFAA Module 8, "Interactions with the Press," sent to Plaintiffs on December 15, 2025
- NYPDU Media Script, sent to Plaintiffs on January 6, 2025
- Updated Press Lesson Plan, sent to Plaintiffs on January 9, 2025
- Media Press PowerPoint, sent to Plaintiffs on January 15, 2025
- Updated Press Questions, sent to Plaintiffs on January 9, 2025
- Revised Patrol Guide provision 212-49, "Incidents Involving Media Representatives," sent to Plaintiffs on January 15, 2025

Our comments and edits are enclosed in redline. One change worth highlighting concerns the presumption to issue process at the point of encounter in the event a member of the press is arrested for a C-summons eligible offense Red Light Offense, as specified in Paragraph 89-h of the Settlement Agreement. As originally drafted, these trainings generally referenced this summons-on-site presumption only in the context of First Amendment Activities, where the Settlement Agreement is clear that no such limitation applies. Accordingly, we have proposed revisions to bring the materials in line with the Settlement Agreement.

In addition to other revisions necessary to comply with the Settlement Agreement, we have also made suggestions to improve the consistency and clarity of the trainings. Because PFAA Module 8, the NYPDU Media Script, the Updated Press Lesson Plan, and the Media

Tobias Zimmerman  
March 4, 2025  
Page 2

Press PowerPoint all included substantially similar and/or identical sections of text, we have made comments and edits to conform the language in the order in which topics are presented across these documents, with the aim of increasing understanding and retention of material. In order to standardize our comments, we have had to make additional edits to PFAA Module 8, regarding which we had previously circulated comments on January 21, 2025. Please refer to this latest enclosed version of this module, rather than the previously circulated version, for our comments.

Finally, we note that several of the trainings address the permissibility of arresting a person exercising the right to record on a charge of Obstruction of Governmental Administration, a scenario that is covered in Section 304-21 of the Administrative Guide. Plaintiffs understand this section of the Administrative Guide was last updated June 10, 2021. If there is a more recent version of Section 304-21, please provide a copy so Plaintiffs can verify that these trainings are consistent with the current Administrative Guide

As the Settlement requires us to meet-and-confer within 14 days of this letter, please let us know dates and times in this window that you are available.

Sincerely,

Davis Wright Tremaine LLP



Robert D. Balin

Cc:

Michael Gerber  
Jaclyn Keane  
New York City Police Department

Qiana Smith-Williams  
Genevieve Nelson  
New York City Law Department

Andrew C. Quinn  
Marykate Acquisto  
The Quinn Law Firm PLLC  
SBA Counsel  
Stephen McQuade

Tobias Zimmerman  
March 4, 2025  
Page 3

Pitta LLP  
DEA Counsel